

APPROVED: MEETING NO. 49-85

ATTEST: *Helen M. Heneghan*

MAYOR AND COUNCIL

ROCKVILLE, MARYLAND

MEETING NO. 48-85

October 28, 1985

The Mayor and Council of Rockville, Maryland, convened in executive session in the City Manager's Conference Room, Rockville City Hall, Maryland at Vinson Street, Rockville, Maryland on Monday, October 28, 1985, at 7:30 p.m. for consultation with legal counsel.

PRESENT

Mayor Viola Hovsepian

Councilman Steve Abrams

Councilman Douglas Duncan

Councilman Peter Hartogensis

Councilman John Tyner, I

The Mayor in the Chair.

In attendance: Acting City Manager Daniel Hobbs; City Attorney Paul Glasgow; City Clerk Helen M. Heneghan.

Re: Adjournment

There being no further business to come before the Mayor and Council in executive session, the meeting was adjourned at 7:55 p.m.

Re: General Session

The Mayor and Council of Rockville, Maryland, convened in general session in the City Manager's Conference Room, Rockville City Hall, Maryland at Vinson Street, Rockville, Maryland on Monday, October 28, 1985, at 8:00 p.m.

Meeting No. 48-85

-2-

October 28, 1985

## PRESENT

Mayor Viola Hovsepian

Councilman Steve Abrams

Councilman Douglas Duncan

Councilman Peter Hartogensis

Councilman John Tyner, II

The Mayor in the Chair.

In attendance: Acting City Manager Daniel Hobbs; City Attorney Paul Glasgow; City Clerk Helen M. Heneghan.

Re: City Manager's Report

Mr. Hobbs reported the following:

1. Word has just been received that the Board of Public Works has approved two State Open Space grants for Rockville - Broome Athletic Park, \$73,500 and Orchard Ridge Park, \$67,500.

2. On October 21, copies were made available of the Superintendent's recommendations to the Board of Education for schools in Area 2. Public Hearings will be held on November 12 and 13. On November 6, Rockville's Education Commission will hold a special meeting at 8:00 p.m. to review and discuss the recommendations and prepare testimony for the Mayor and Council's approval.

3. The 24th Antique and Classic Car Show was held on October 19. There were 450 entries. The Mayor and Council Trophy was awarded to Ace Rosner for his 1936 Cord.

4. On October 20 the City held its 10K Race. The winners in the male category were Kevin McGarry, who broke a course record and in the female division, the winner was Donna Elliot.

5. Sixteen students are visiting Rockville this year from Johann Brahms school in Pinneberg. Eighteen Rockville families have served as host families. The students will return to Germany on Saturday. Brigitta Mullican, Chairman of

the Sister City Task Force and Dick Knorpp, addressed the Council and introduced the young people present this evening and their teacher. The Mayor and Council welcomed the visitors and presented them with mementos.

Councilman Abrams suggested the Mayor and Council meet with the Education Task Force on November 6 and present their views.

Re: Appointments

Mayor Hovsepian made the following appointment. It was confirmed by the Council:

Board of Election Supervisors: John Rausch - reappointed - 4-year term

Re: Citizen's Forum

The Mayor opened the meeting to those citizens who wished to address the Mayor and Council.

1. Michael McGarvey, President of the Carter Hills Civic Association. Mr. McGarvey addressed the Mayor and Council concerning Annexation Petition, X-97-85 on the agenda for decision this evening. He referred to an October 18 memo from the Planning Staff for the record which recommends the development of townhouses on the acreage. He said it would seem the recommendation is to build substandard housing in a substandard manner and access the homes to Emily Drive. These suggestions are unacceptable to the civic association. Access to Emily Drive was a closed issue. At the same time, the Planning Staff scenario would not save any trees as the O-1 Development as suggested by the applicant would.

2. Geraldine Wilson, 909 Stonestreet Avenue. Mrs. Wilson is Chairperson of the Lincoln Park Citizens Association. She addressed the Mayor and Council concerning an October 18 incident which the newspapers call a drug raid and in which seven were arrested. She said since that time she has spoken to a number of adults who said the police used a great deal of physical force and excessive profanity. This type of event will cause people to be reluctant to make calls to the Police and could be detrimental to the Neighborhood Watch Program unless

citizens can be assured that Police will respond in an appropriate way to complaints.

Councilman Abrams said the Mayor and Council are awaiting a full report that will look at the situation in depth. More than the Rockville Police were involved since there were Park Police and County Police present and there will be a meeting of all the groups to discuss the incident.

There being no other citizen wishing to be heard, the Mayor closed the citizen's forum portion of the meeting.

Re: Presentation:  
Archives Report -  
Philip Cantelon

Mr. Cantelon briefed the Mayor and Council on the need for locating a Rockville Archives as Montgomery County is doing in the Red Brick Courthouse. Mr. Cantelon and his assistants have conducted an assessment study of the City's records and have found some with lasting historical value. At the same time there is a need in the City for a Retention Schedule and management of records to avoid duplication. Mr. Cantelon answered the questions posed by the Council. Councilman Duncan asked that the City Clerk provide the Council with an analysis of the report before them this evening. Mr. Hobbs said he has met with the City Clerk and discussed a procedure and after a task force prepares guidelines, the senior staff will review the document and come back to the Mayor and Council with recommendations and an action plan. Mayor Hovsepian asked that the staff note the amount of staff time that will be necessary to support this effort. The Mayor and Council thanked Mr. Cantelon for his work.

Re: Introduction of  
Resolution: Annexation  
Petition, X-98-85,  
requesting that the  
boundaries of the  
City be enlarged by  
adding six acres of  
land at the southwest  
quadrant of I-270 &  
Shady Grove Road, and  
placement in the I-3,  
Industrial Park Zone

On motion of Councilman Hartogensis, there was introduced upon the table, a Resolution for Annexation Petition X-98-85, requesting that the boundaries of the City be enlarged by adding six acres of land at the southwest quadrant of I-270 & Shady Grove Road, and placement in the I-3, Industrial Park Zone. The resolution will be the subject of a public hearing on January 13, 1986.

Re: Adoption of Resolu-  
tion: To set hearing  
date for Annexation  
Petition, X-98-85,  
Shady Grove Road and  
I-270, Rickman,  
Applicant

Resolution No. 30-85

On motion of Councilman Abrams, duly seconded and unanimously passed, Resolution No. 30-85, the full text of which can be found in Resolution Book No. 8 of the Mayor and Council, setting the hearing date of January 13, 1986, for Annexation Petition, X-98-85, was adopted by the Council.

Re: Adoption of  
Ordinance: To revise  
and amend Appropria-  
tions Ordinance Nos.  
16-85 and 17-85.

Councilman Abrams noted that the ordinance introduced on last week's agenda had some technical problems and he asked to withdraw it. The Mayor and Council agreed that the ordinance would be withdrawn.

Meeting No. 48-85

-6-

October 28, 1985

On motion of Councilman Abrams, there was introduced upon the table, an ordinance to revise and amend the appropriations ordinance Nos. 16-85 and 17-85.

On motion of Councilman Abrams, duly seconded and unanimously passed, the Council agreed to waive the lay over and publication requirements as defined in the Charter.

Ordinance No. 30-85

On motion of Councilman Duncan, duly seconded and unanimously passed, Ordinance No. 30-85, the full text of which can be found in Ordinance Book No. 12 of the Mayor and Council, revising and amending appropriations ordinance Nos. 16-85 and 17-85 was adopted by the Mayor and Council.

Re: Adoption of  
Resolution: To allow  
Withdrawal of Map  
Amendment Applica-  
tion, M-43-85

Resolution No. 31-85

On motion of Councilman Hartogensis, duly seconded and unanimously passed, Resolution No. 31-85, the full text of which can be found in Ordinance Book No. 12 of the Mayor and Council allowing for the withdrawal of Map Amendment Application, M-43-85, was adopted by the Mayor and Council.

On motion of Councilman Abrams, duly seconded and unanimously passed, the Council agreed to refund 50 percent of the application fee, \$500, as the staff recommended, since the remaining amount was spent for staff time and advertising prior to the hearing.

Re: Decision and Instructions to staff re: Map Amendment Application, M-44-85, Congressional South Associates, Ltd., Bethesda, Maryland, Applicant, requesting the rezoning of 2.78 acres on the Rockville Pike south of Halpine Road, from the present I-1, Service Industrial Zone to the C-2, Commercial Zone

Councilman Hartogensis noted the history of this application. At first, the Planning Commissions recommended approving this application with conditions, however the City Attorney's information to the Mayor and Council recommended against the conditions. It was at that time that the Planning Commission came forward with the recommendation of denial. He asked James Vitol of the Planning Commission if he would clarify that action. Mr. Vitol addressed the Mayor and Council and said he and the Planning Commission were concerned with what is being done on Rockville Pike. Both this property and others should be in a total comprehensive plan and this rezoning may be premature. Councilman Duncan mentioned that the character of that neighborhood has changed since this is the only piece left in the I-1 Zone. Councilman Hartogensis agreed and said this piece of ground serves as a parking lot for a piece the City rezoned not too long ago. Mayor Hovsepian noted her agreement with the previous comments as did Councilman Abrams who said this action this evening simply permits continuation of a process that was begun with the previous rezoning and is a house keeping matter. Councilman Tyner's motion to instruct the staff to prepare the necessary documentation to approve the application, passed unanimously.

On motion of Councilman Abrams, there was introduced upon the table, an ordinance to grant Map Amendment Application M-44-85, Congressional South

Meeting No. 48-85

-8-

October 28, 1985

Associates, Applicant, requesting the rezoning of 2.78 acres on the Rockville Pike from the present I-1 to the C-2 Zone, said ordinance to lay over at least one week before final action is taken.

Re: Adoption of Resolution: To authorize execution of Agreement for Easement in connection with approval of Annexation Petition, X-96-85, Ali Mustafa Ali Elquirem, Applicant, requests the enlargement of the boundaries of the City of Rockville by including 2.00 acres of land located at the southwest corner of Westmore Road and Westmore Avenue

Resolution No. 32-85

On motion of Councilman Hartogensis, duly seconded and unanimously passed, Resolution No. 32-85, the full text of which can be found in Resolution Book No. 8 of the Mayor and Council authorizing execution of Agreement for Easement in connection with approval of Annexation Petition, X-96-85, Ali Mustafa Ali Elquirem, Applicant, Westmore Road and Westmore Avenue, was adopted by the Mayor and Council.



Re: Adoption of Resolution: Approval of Annexation Petition, X-96-85, Ali Mustafa Ali Elquirem, Applicant, requests the enlargement of the boundaries of the City of Rockville by including 2.00 acres of land located at the southwest corner of Westmore Road and Westmore Avenue

Resolution No. 33-85

On motion of Councilman Duncan, duly seconded and unanimously passed, Resolution No. 33-85, the full text of which can be found in Resolution Book No. 8 of the Mayor and Council requesting the enlargement of the boundaries of the City of Rockville by including 2.00 acres of land located at the southwest corner of Westmore Road and Westmore Avenue, was adopted by the Mayor and Council.

Re: Introduction of Ordinance: To amend the Zoning Map by including 2.00 acres of land located at the southwest corner of Westmore Road and Westmore Avenue in the I-1, Industrial Zone

On motion of Councilman Abrams there was introduced upon the table an ordinance to amend the Zoning Map by including 2.00 acres of land located at the southwest corner of Westmore Road and Westmore Avenue in the I-1, Industrial Zone, said ordinance to lay over at least one week before final action is taken.

Re: Decision and  
Instructions to staff  
re: Annexation  
Petition, X-97-85,  
Covenant/Schiavone,  
Applicant, requesting  
the annexation of  
11.41 acres of land,  
on the west side of  
Maryland Route 28  
opposite Research  
Boulevard and place-  
ment in the O-1,  
Office Zone

The City Attorney briefed the Mayor and Council on a letter that was received from the applicant responding to the staff's memo that was placed in the record prior to the records closing.

On motion of Councilman Abrams, duly seconded and unanimously passed the record was opened and closed to allow for the insertion of the letter.

Councilman Hartogensis moved, duly seconded, to approve the annexation and place the property in the O-1 Office Zone.

The Mayor and Council discussed the petition and the zoning at length, Councilman Hartogensis noting that he had walked the property and pointing out all the development in the area. Mr. Davis clarified some of the statements for the Council, including the plan to have the east side of Rt. 28 in the I-3 Zone and the west side as residential for neighborhood structured environment. He noted the staff is not recommending Emily Court access. Access would be from Rt. 28. Councilman Abrams contended that the cost of access to Rt. 28 could make development prohibitive. He asked what the realignment of Rt. 28 would do to the property. Mr. Davis explained the demarcation point of development on either side of Rt. 28 could be moved to the ridge line. Councilman Abrams moved to amend the motion to defer decision until November 5. The maker of the motion and seconder agreed to the amendment. The Council agreed they would reopen the record until November 4, 1985, at noon to give the staff time to provide

information on the questions. Suggestions made were satellite parking or some type of van pool arrangement or commercial transportation to the lot. The concerns expressed by the Mayor have to do with traffic trip generation. The staff was asked to address the questions raised in Mr. Bain's letter as to the economic impact, the number of units, the estimate of cost of access and the estimate of the impact on the cost per unit, a lowering of the density in O-1 and also, whether the construction of residential would lose trees for buffering. The motion to postpone annexation of the property and place it in O-1 zone with a decision to be made on November 5, passed, Councilmembers Duncan and Tyner voting nay. The City Attorney suggested that information be provided on impact of reduced parking and the floor area ratio and Councilman Duncan and Mayor Hovsepan asked for a comparison of commercial trips generated in proportion to trips for residential development. Mr. Bain said his question which he will discuss with staff is the parking site since the parking spaces are mandated by the City's zoning ordinance, but the applicant did not feel they would be filled with cars. The applicant has all along felt the property cannot be developed as residential due to the cost of Rt. 28 access. This item will be on the agenda on November 5, 1985.

Re: Award of Contract:  
Bid No. 35-85 -  
Street tree  
replacement

The Invitation for Bid was issued to obtain a Contractor to furnish and/or plant shrubs and trees on City property. The IFB was divided between items #1 - #12 which included both supplying and planting the variety of trees and items #13 - #16 for delivery only of the shrubs and trees noted.

Bids were opened at 10:00 a.m. on Tuesday, October 8, 1985 and the following bids were received:

Company	Item #1-#12	Item #13-16
Potomac Valley Landscaping, Potomac, MD	\$48,259.00	\$ 7,197.50
Arbor Landscaping, Spencerville, MD	63,400.00	10,610.00
C&C Landscaping, Damascus, MD	67,686.00	11,846.00
Paul E. Schlosser Co., Inc., Silver Spring, MD	74,850.00	10,925.00
W. H. Boyer, Inc., Glenwood, MD	94,241.23	16,074.00
Campbell & Ferrara Nurseries, Inc., Alexandria, VA	109,552.50	19,692.50

The Contract is to be awarded to the responsible bidder submitting the low aggregate bid for items #1-#12 and the low aggregate bid for items #13-#16. Bidders were allowed to take exception to the specie(s) of shrubs and trees referenced. The terms of the Invitation for Bid stated that "The (City) Mayor and Council for the City of Rockville, Maryland, retains the exclusive right to approve or reject any exception taken to these specifications. It is hereby agreed, that if (this) bid is rejected due to an unapproved exception taken to the specifications by the Bidder, the rejection of (this) bid by the City will be final and no further action may be taken.

Both Potomac Valley Landscaping and Arbor Landscaping took exception to providing White House Pear Trees. White House Pear trees are referenced among both items #1-#12 and #13-#16. Arbor Landscaping proposed providing "Stone Hill Pear" trees in lieu of White House and Potomac Valley proposed providing "Bradford Pears" in lieu of White House.

Per the Director of Recreation and Parks, the City has made a specific promise to appropriate neighborhoods in the areas proposed for planting to provide White House Pear trees. The City cannot accept the proposed substitutions.

If Potomac Valley Landscaping and Arbor Landscaping are rejected, the low bidder for items #1-#12 is C&C Landscaping and Paul E. Schlosser Co. for items #13-#16. Neither company took any exceptions to the types of shrubs and trees specified.

Both companies have previously satisfactorily completed work for the City.

It is recommended that Potomac Valley Landscaping and Arbor Landscaping be rejected due to the exceptions noted above and that award be made to C & C Landscaping in the amount of \$67,686.00 and to Paul E. Schlosser Co. in the amount of \$10,925.00.

Mr. Crehan, Superintendent of Parks, briefed the Council on the merits of the various trees and Mr. Cal Wright, the City's Forester, showed samples of the trees to the Mayor and Council.

On motion of Councilman Tyner, duly seconded and unanimously passed, Bid No. 35-86, was awarded to the C & C Landscaping in the amount of \$67,686 and to Paul E. Schlosser in the amount of \$10,925 the lowest bidder after Potomac Valley Landscaping and Arbor Landscaping were ejected due to the exceptions noted.

Re: Award of Contract:  
#9490 - Tires and  
Tubes

The City purchases tires and tubes which are inventoried in the City's warehouse for issuance and charge-out as the need arises. The tires are used on City automobiles, trucks, vans, tractors and leaf machines. A conservative number of each is maintained at the warehouse and additional tires are ordered as a pre-determined minimum is reached.

Prince George's County was the lead jurisdiction for the Council of Government's bid. Bids were received from six companies. Award was allowed on the basis of low bid per item based on type of tire.

Low bids for the City's estimated requirements for each of the different types of tires were:

BF Goodrich Company	\$7,460.58
The Goodyear Tire & Rubber Company	1,165.58
D&G Commercial Tire Service	3,366.07
Merchant's Inc.	6,337.52

The Invitation for Bid provides options to extend the contract by mutual agreement at the prices provided in the original Invitation for Bid for an additional two one-year terms. Individual contracts will be completed with each company listed. The total potential value of the contracts inclusive of options are:

BF Goodrich Company	\$22,380.00
The Goodyear Tire & Rubber Company	3,496.74
D&G Commercial Tire Service	10,098.21
Merchant's Inc.	19,012.56

The City has been purchasing tires and tubes against the Montgomery County Public Schools contract in past years. The prices on the Council of Government's Invitation for Bid #9490 are as good as or better than the prices previously paid by the City against the county's Invitation for Bid.

It is recommended that an award be made to each of the four companies for the initial year and the option for the two additional one-year terms be retained. It is further recommended that the Finance Director be authorized to exercise the option for each of the two additional years after appropriate review.

On motion of Councilman Duncan, duly seconded and unanimously passed, award was made to each of the four companies bidding for the initial year with the option for two additional one-year terms. At the same time the Finance Director was authorized to exercise the option for each of the two additional years after appropriate review.

Re: Award of Contract:  
Bid No. 32-86 -  
Sandblasting of  
Clarifier at Water  
Treatment Plant

The Invitation for Bid was issued for the purpose of obtaining a contractor to sandblast and paint an Infilco Clarifier at the City Water Treatment Plant.

Bids were opened at 3:00 p.m. on Wednesday, October 2, 1985, and the following bids were received:

<u>Company</u>	<u>Fall Schedule Bid</u>	<u>Spring Schedule Bid</u>
Corrosion Control Corporation, Pedricktown, N.J.	\$24,990.00	\$24,990.00
Kuenhle-Wilson of Maryland, Inc. Baltimore, MD	63,645.00	66,830.00

Corrosion Control included with its bid a statement that its "bid is based upon completion in the field within 25 working days plus 5 days curing." The requirements of the Invitation for Bid stated that all work was to be completed with fifteen (15) good dry weather working days as defined in the specifications plus 5 days drying time for a total of not more than 20 (twenty) days. This schedule applied whether the work was done in the fall or spring.

Kuenhle-Wilson took no exception to the delivery schedule.

Inasmuch as Corrosion Control has taken an exception to a major requirement of the Invitation for Bid, it is recommended that its bid be rejected as non-responsive.

It is also recommended that Kuenhle-Wilson's bid be rejected as excessive and not in the best interest of the City. The City's estimate for completion of this work was \$28,000.00. Kuenhle-Wilson has previously submitted a bid to the City for similar work and submitted an excessive bid at that time also.

Upon rejection of all bids, this Invitation for Bid will be immediately re-bid to take best advantage of obtaining bidders for the spring schedule.

On motion of Councilman Abrams, duly seconded and unanimously passed, the bids for No. 32-86 were rejected and the staff were instructed to rebid to take best advantage of the spring schedule.

Meeting No. 48-85

-16-

October 28, 1985

Re: Award of Contract:  
Bid No. 8-86 -  
Catwalk at F. Scott  
Fitzgerald Theatre

On October 8, 1985, bids were opened for the catwalk project titled: Bid 8-86 "Front of House Lighting Plan for F. Scott Fitzgerald Theatre." Even though this bid had an option built into it to keep costs within budget, the low bid received was \$51,000 over budget (an additional \$35,000 over budget, totaling \$86,000 over budget results if the optional rear catwalk "deduct" is included). The following sections offer a synopsis of the bid; speculation for the high bids; potential options, and lastly, staff recommendations.

The Invitation for Bid (IFB) was issued to obtain a Contractor to provide all labor, equipment, materials, and services for performance of the referenced work, and was issued to twelve contractors with experience in the type of structural work required by the project. In addition, notice of the proposed project was sent to four advertising sources.

The IFB included a mandatory prebid conference held at the site of the work. Attendance at the conference was a prerequisite to submitting a bid. This was considered critical by city technical personnel to guarantee a proper understanding of the scope of work and the particular difficulties associated with the project. The four companies that attended the conference were Bethesda Iron Works, Darwin Construction Company, Inc., Cleckner Brothers/Jaeger Construction Company, and Construction Unlimited.

The IFB requested two bids from each company based on a basic delivery/completion schedule and an expedited schedule. In addition, the IFB requested a lump sum bid to furnish all labor, equipment, materials, and services and a separate "deduction" price to delete a suggested rear platform construction from the scope of work.



Bids were opened at 3:00 p.m. on Tuesday, October 8, 1985, and the following bids were received:

Company	Regular Schedule (Deadline: 2/28/86)		Expedited Schedule (Deadline: 2/14/86)	
	Lump Sum	Deduct	Lump Sum	Deduct
Gassman Corporation/Bethesda Iron Works	\$236,000	\$35,000	\$246,000	\$36,000
Darwin Construction	334,000	40,000	334,000	36,000

If the award were to be considered it should be on the basis of the regular schedule with the deduction resulting in the following comparison:

Gassman Corporation/Bethesda Iron Works	\$201,000
Darwin Construction	\$290,000
The budget estimated	\$150,00

The Council commented that even though the bids were high for safety reasons this project must be done and can only be done when the theatre is dark and that will coincide with the construction time when prices would be naturally high. If tonight's decision is postponed, bids could possibly come in at a higher price.

On motion of Councilman Tyner, duly seconded and unanimously passed, Bid No. 8-86 was awarded to Gassman Corporation/Bethesda Iron Works at the full amount of \$236,000.

Re: Approval of Request  
of Chamber Music  
Ensemble to use F.  
Scott Fitzgerald  
Theatre

The Cultural Arts Commission and Rosemary Dyer met and discussed the updated proposal of the Maryland Chamber Ensemble of Rockville on October 21. The recommendation of the Cultural Arts Commission is as follows:

That the Commission invite the Maryland Chamber Ensemble to perform in the F. Scott Fitzgerald Theatre, May 23 and 24 with support as specified in the City

Manager's letter of September 12, 1985, provided that the City recoup the first \$990 from box office receipts and provided further, that the City offer comparable treatment to the Victorian Lyric Opera Company.

The Commission will be working on a comprehensive policy for future use of the theatre.

Councilman Abrams suggested the cost be waived although he appreciated the Cultural Arts Commission's efforts. He felt he would prefer another direction. The City should take this opportunity to become entrepreneurs in the use of the theatre since it would be in the City's best interest to be more aggressive in sponsorship and upgrade the theatre to an equity level. Since at the same time the City is requesting State funding to assist in the operation, he would prefer that the City extend its assistance to groups with a broader constituency. Councilman Hartogensis moved, duly seconded that the Mayor and Council approve the Cultural Arts Commission's recommendation. The motion passed, only Councilman Abrams voting nay and that because he would prefer to waive the fee entirely.

Re: Correspondence

The Mayor and Council noted the following items of correspondence:

1. C. Linville, re Amusement machine tax ordinance

Councilman Duncan asked the staff to come back with their comments.

2. Senator Mathias, re miscellaneous items
3. B. Carter, re Carter Field
4. Montgomery County, re thank you for Lincoln Park men's shelter
5. Bruce Lackey, re Stop sign

Councilman Tyner asked for staff comments and a comment from the Traffic Engineer.

6. D. B. Martin, re creation of new park
7. Dr. Cody, re response to City's comments

8. B. D. Yendell, re residential parking
9. Judith Eagle, re City volunteers
10. Granville Paules, resignation  
Jan Brown, resignation

Councilman Hartogensis said he served with Mr. Paules on the Planning Commission and after eight years the loss of Mr. Paules is a great loss to the City.

11. K. K. Ashley, re Candlewood Elementary articulation  
Mae Dillon, re Candlewood Elementary articulation

Re: Information Items

The Mayor and Council noted the following items of information:

1. Public Works Department Project Status Report
2. Memo re Impact of SWM waivers on Rockville Pike
3. Letter to Dr. Shekletski re North Farm articulation

Councilman Hartogensis asked if this is a follow up to Mr. Resnick's comments. Mr. Hobbs said a response is coming which explains the history of school boundaries on the Watkins Tract since the boundary was at one time in the center and half of the students would go to Congressional and the other half to Hungerford School. In April of 1977, it was changed and the entire tract was assigned to Congressional.

4. ACSC Activities for September, 1985
5. Recreation Department Project Status Report
6. Response to letter concerning Pike zoning
7. Copy of letter from Westmont and response
8. Draft letter to County Executive re solid waste disposal

Councilman Tyner suggested mention be put in the last paragraph that the City would be closely monitoring this situation.

9. Testimony for Montgomery County Delegation hearing on Theatre Bill®
10. Memo on Ride-On Bus Service

Councilman Duncan asked that this letter be sent and the staff follow up with a lobbying effort in support of the letter.

Meeting No. 48-85

-20-

October 28, 1985

Re: New Business

1. Councilman Duncan asked that the Mayor and Council be provided with some information on the compromise bill presently in Congress on the Garcia Decision. He would like to know its impact on Police overtime. The Mayor asked if the Council would like to support the amendments to the bill. Councilman Abrams suggested a decision await more information.

Re: Approval of Minutes

On motion of Councilman Hartogensis, duly seconded and unanimously passed, the Minutes of Meeting No. 41a-85, September 5, 1985, were approved as written.

On motion of Councilman Abrams, duly seconded and unanimously passed, the Minutes of Meeting No. 43-85, September 11, 1985, were approved as written.

On motion of Councilman Hartogensis, duly seconded and unanimously passed, the Minutes of Meeting No. 44-85, September 17, 1985, were approved as written.

On motion of Councilman Duncan, duly seconded and unanimously passed, the Minutes of Meeting No. 45-85, September 23, 1985, were approved as corrected.

Re: Adjournment

There being no further business to come before the Mayor and Council in general session, the Meeting was adjourned at 10:20 p.m. to convene again in general session on Tuesday, November 5, 1985, at 9:00 p.m. or at the call of the Mayor.